

IFW
2004
1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Matsuzaki et al

Application No.: 09/636,458

Filing Date: August 11, 2000

For: PLASMID AUTONOMOUSLY
REPLICABLE IN CORYNEFORM
BACTERIA

Art Unit: 1636

Examiner: Guzo

Attorney Ref. No.: US-1350

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR §1.114

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. The following are submitted:

1. Submission required under 37 C.F.R. 1.114:

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement
- iv. ☒ Other: Marked up copy (20 pages)

and clean copy (19 pages) of Substitute Specification; Receipts (4) in the Case of an Original Deposit with Translations (8 pages).

2. Miscellaneous

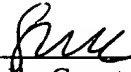
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Periods of suspension shall not exceed 3 months. Fee under 37 C.F.R. 1.17(i) required).
- b. ☐ Other

3. Fees – The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-3077.

- i. ☒ The RCE fee required under 37 C.F.R. §1.17(e)
ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
iii. ☐ Other
b. ☐ Check in the amount of \$ enclosed
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Respectfully submitted,

By: 
Shelly Guest Cermak
Registration No. 39,571

U.S. P.T.O. Customer No. 000038108
Ajinomoto Corporate Services LLC
1120 Connecticut Ave.
Ste. 1010
Washington D.C. 20036
202.457.0284

Date: May 14, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Matsuzaki et al.

Art Unit: 1636

Application No.: 09/636,458

Examiner: Guzo

Filing Date: August 11, 2000

Attorney Ref. No.: US-1350

For: METHOD FOR PRODUCING L-AMINO ACID

**AMENDMENT AND REPLY FILED WITH A REQUEST FOR CONTINUED
EXAMINATION UNDER 37 C.F.R. §1.114(C) WHICH MEETS THE
REQUIREMENTS OF 37 C.F.R. §1.111**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an amendment and reply accompanying a Request for Continued Examination (RCE) of the above-referenced application filed under 37 C.F.R. §1.114(c). The Advisory Action mailed May 6, 2004 indicated that the amendment after final, filed April 20, 2004 would NOT be entered, and therefore, the status of the claims is as follows: Claims 1-8 have been cancelled; Claims 9-29 are pending and stand rejected. The Advisory Action mailed May 6, 2004 indicated the period for reply expires 5 months from the mailing date of December 17, 2003 of the Final Rejection, or May 17, 2004, due to a timely filed Petition and fee for a 2-month extension of time under 37 C.F.R. § 1.136(a) and 37 C.F.R. § 1.17(a) with our amendment after final. Therefore, this RCE and submission is timely filed before the expiration date of May 17, 2004 and no further petition or fee is necessary.

Applicants respectfully request consideration of the following amendment and arguments made in response to the final office action of December 17, 2004 and the comments made in the Advisory Action of May 6, 2004. Favorable consideration is respectfully requested.